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Cuts and Boosts for R&D Budgets on Capitol Hill

Following are some of the ups and downs so far in congressional handling of the Administration's requests for funds for science-related programs:

The House rejected the Administration's proposal to spend $30 million on competitive grants under the Department of Agriculture's cooperative research program. The House would restore instead many of the research cuts that the Administration had made in the department's traditional research and extension activities.

The decision came last month when the House passed and sent to the Senate an $18.5-billion appropriations bill for the Department of Agriculture.

Appropriations Committee Chairman Jamie Whitten (D-Miss.) charged that the request for the competitive research program was an attempt by USDA to undercut existing agricultural research at land-grant colleges and agriculture extension services.

All totaled, the House bill, HR 4387, would provide $842 million for the USDA's Science and Education Administration—an overall increase of $42.3 million over the Administration's request but $10 million below the figure set by a Senate appropriation's subcommittee.

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In its version of the agriculture bill, the Senate panel recommended spending $25 million for the competitive-grant program.

The Senate panel also came close to the President in its plan to cut some $3 million from the $11.5 million the House had provided for agricultural education programs at land-grant colleges and universities under the Bankhead-Jones Act. The Senate panel recommended the cuts on the grounds that too little money has been spent on agriculture and too much on English and other unrelated subjects. President Carter had wanted to eliminate the programs altogether.

For energy research, Congress seems to be following what could become the basic pattern of the 1980 appropriations process. The House's figure is below the Senate's and the Senate's figure is below the President's.

For the Energy Department's total basic research program—the bulk of which goes to colleges and universities—the House would provide $212.7 million, the Senate $220.5 million, and the Administration $237.8 million.

The House passed its bill, HR 4388, in June, shortly before a Senate appropriations subcommittee made its recommendations on its version of the bill.

The full Senate Committee on Appropriations is expected to vote on its subcommittee's recommendations shortly after the July 4 recess. But because of a lot of last-minute lobbying, subcommittee staff members said they expected a number of changes at the full committee level. In fact, one aide said the subcommittee welcomed the chance to refer some of the tougher energy decisions to the full committee.

In the meantime the formal report from the House Appropriations Committee explains why it believes the pace of growth ought to slow in basic energy sciences.

"The Department's request for fiscal year 1980 reflects a growth of 25 percent over 1979 levels. The committee believes that such a large increase on top of the prior year increases may be approaching the point of diminishing returns. As the program matures, funding

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In Brief

The sudden and unexpected Senate derailment of the Administration's proposal to create the Institute for Scientific and Technological Cooperation would—if sustained—leave the US virtually empty-handed at the August UN Conference on Science and Technology for Development. The long-gestating institute, designed to promote R&D related to economic development, was to be the US's principal offering at the conference. A rescue attempt is being mounted, but with Washington obsessed by the rapid crumbling of the Carter Administration, it is difficult to muster attention on Capitol Hill.

Claiming that staff reductions are required to stay within congressionally prescribed budgetary and personnel bounds, John Gibbons, newly appointed director of the Office of Technology Assessment, has eliminated OTA's four-member Exploratory Group, headed by Joseph Coates, and cut three of four positions in the Office of Public Affairs. All told, some 16 jobs are to be terminated. The move has plunged OTA into another of the numerous morale crises that have plagued it throughout its relatively brief existence.

. . . New Interest in Long-Range Budget Plans

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should be leveling out, as it is in the technology development activities this program supports. Accordingly, the committee recommendations provide for continued growth but a lower pace over 1979 levels. . ."

Late last month, the House also passed a mammoth appropriations bill for the departments of Labor and Health, Education, and Welfare. Included in the bill, HR 4389, was $3.38 billion for the National Institutes of Health; the President had requested $3.17 billion, and the Senate subcommittee had recommended $3.33 billion.

An amendment was defeated on the House floor that would have increased funding for investigator-initiated projects by $47 million. As it stands, the House level would provide enough support to pay for about 16,450 such projects in fiscal 1980, compared with 15,200 in 1979.

Per-student "capitation" grants for health-professions schools—a program that the Administration had tried to eliminate—would be allocated $88.4 million by the House. The Senate, however, would provide only $72 million for the program.

The Senate panel, on the other hand, went along with a House recommendation that $85.5 million be provided for National Health Service Corps scholarships for health professionals who agree to work in medically underprivileged areas. The President had requested $79 million for the program.

Meanwhile, the full House approved the recommendations of its Appropriations Committee for the National Science Foundation.

Under House bill HR 4394, the Foundation would receive $987 million—$19.5 million less than the Administration requested but $76 million more than it received last year. The Senate Labor-HEW subcommittee will not take up the bill until after the July recess.

While research programs under the House bill would be cut back slightly, science-education programs would grow to $84.7 million in 1980, the highest level ever. Under the House bill, $10 million would be cut from the President's $828.3 million request for NSF's research directorates.

Despite the reductions, Rep. Edward Boland (D-Mass.), chairman of the appropriations subcommittee for HUD-Independent Agencies, said that the 8.5 percent increase in NSF's budget that the House had approved would be enough to keep up with inflation, though it's hard to see how that adds up with inflation now running at an annual rate of nearly 14 percent.

Other science programs in the HUD-Independent Agencies bill would also be cut below the President's budget.

NASA, for example, would receive nearly $3.8 billion, some $23 million less than the President requested. An estimated $150 million of that would go for research at colleges and universities.

The House bill also would provide $2.73 million for the White House Office of Science and Technology Policy. Although approximately $175,000 was to be taken from the office's salaries, travel, and contract expenses, the 1980 figure was still higher than the 1979 appropriation, $2.38 million.

There were, in addition, two important developments concerning research policy: First, officials at NIH are now saying that whatever the budget, they will try to stress investigator-initiated research in the coming year. That's the intention stated at a recent meeting of the National Association of College and University Business Officers by William Raub, NIH's director of extramural research and training. While Raub would not be specific about how much might be spent or when the emphasis might shift, some observers were hopeful that any change in that direction might bring more money to small institutions and individual investigators.

Second, there is increased interest around Washington in long-range planning of federally financed research. Rep. Don Fuqua (D-Fla.), the chairman of the House Committee on Science and Technology, has introduced a measure that would eliminate the yearly authorization process for research. His bill, HR 4490, would require the Office of Science and Tech-

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NSF Finds "Real" R&D Spending is Slipping

Statistics newly published by the National Science Foundation confirm what's long been evident in the scientific marketplace: Inflation is wiping out the purchasing-power effects of the budget boosts that the Carter Administration has been fostering for research.

The budget authority requested by Mr. Carter for R&D in fiscal 1980 is up by 4 per cent, from $29.5 billion to $30.6 billion, from 1979, NSF reports, but adds that "This increase is less than anticipated inflation and compares with real R&D growth of 3 per cent from 1978 to 1979."

As it turns out, the slippage is even worse than the NSF explicitly acknowledges, since its calculations are based on the Office of Management and Budget's wildly erroneous projections of 8 per cent inflation for 1979 and 7 per cent for 1980. With inflation now running at about twice the latter figure, what now seems likely is that the real gains that began with the Ford Administration and that continued through the early stages of the Carter Administration are being wiped out.

In regard to basic research, the NSF study states that "In 1980, budget authority for such research . . . totals $4.6 billion, an increase of 9 per cent over 1979. . ." NSF refers to this increase as "a little more than anticipated inflation," though, obviously, it is a good deal less than inflation.

The NSF study is mainly calculated in terms of what the President is asking Congress to appropriate for R&D for the fiscal year that starts next October 1. Since the President usually gets either more or less than he asks, but not often the exact amount, the NSF study properly observes that "The rates of R&D growth shown for 1979 and 1980 could significantly change as a result of congressional actions on the supplemental 1979 requests and on the entire proposed 1980 budget." And, it goes on to observe that Congressional generosity and various supplementals sought by the Administration produced an 11 per cent (constant dollar) increase for R&D between 1978 and 1979, compared with a presidential budget that originally asked for just a 7 per cent increase.

(These data are included in *Federal R&D Funding by Budget Function: Fiscal Years 1978-80,* available without charge from: Division of Science Resources Studies, National Science Foundation, 1800 G St. Nw., Washington, DC 20550.)

Budget Authority by Function

(Dollars in millions) Function	1978 Actual	1979 Estimate	1980 Estimate
Total[1]	$26,480	$29,451	$30,629
National defense	12,899	[2]14,284	15,115
Space research and technology	3,481	[3]3,944	4,051
Health	2,968	3,387	3,444
Energy	3,134	3,485	3,429
General science and basic research	1,050	1,128	1,248
Natural resources and environment	898	994	1,054
Transportation	767	822	862
Agriculture	501	555	559
Education, training, employment, and social services	344	345	350
Veterans benefits	111	123	123
International affairs	54	75	100
Community and regional development	91	113	94
Commerce and housing credit	76	90	87
Administration of justice	44	46	49
Income security	43	41	44
General government	18	18	19

1 Listed in descending order of 1980 R&D budget authority. One budget function—general science, space, and technology—has been divided into two functions in this analysis: space research and technology, and general science and basic research..

2 Includes a $523 million supplemental request of DOD.

3 Includes a $185 million supplemental request of NASA for the space shuttle.

Source: National Science Foundation.

Congress *(Continued from Page 2)*

nology Policy to prepare two-year estimates on the research and development needs of federal agencies to provide guidance to authorizing committees that might want to consider two-year authorizations.

Although the second-year budget could be altered, it would save Congressional staff time and effort and could reduce some of science's annual budgetary turmoil.

In the meantime the immediate future is far from settled and will remain that way for weeks if not months while the subcommittees, and committees, and conferences plow their way through the complex appropriations process.—Anne Roark

(The author is an assistant editor of *The Chronicle of Higher Education.*)

Carter's Formula for OSTP Draws Fire

A Congressionally ordered inquiry into the operations of the White House Office of Science and Technology Policy (OSTP) has concluded that Jimmy Carter's formula for using that shop is not what Congress intended when it passed the National Science Policy Act.

However, the study, conducted by the Congressional Research Service (CRS)—a branch of the Library of Congress—for the House Science and Technology Committee, is tepid in both its criticisms and in the bits of praise that it has for OSTP. What its findings boil down to is that the President is master of his own staff arrangements, regardless of how Congress wants to organize the White House, and that there really isn't much that the Congress can do about it.

The Jimmy Carter OSTP is, as the study points out, a modified version of what Congress and the Ford Administration revived after Richard Nixon axed the old Office of Science and Technology. The OSTP legislation, which was passed in 1976, "provided a carefully constructed framework for both a science policy for the Nation and a science advisory organization to serve the President," says the CRS report. "If the 1976 election had gone in favor of the Administration which was responsible for drafting the legislation," the report continues, "the course of the last two years would undoubtedly have been different, and Congress would now be in a position to evaluate the Office's accomplishments against congressional intent." But this is "extremely difficult," the report says, "because of the extensive, almost drastic modifications made in the office and related units by the first use of President Carter's reorganization authority."

The almost drastic modifications" include paring down the OSTP staff, abolition of OSTP's council of elder statesmen, reassigning congressionally mandated annual and five-year reports from OSTP to the National Science Foundation, and "downgrading" of the Federal Coordinating Council for Science and Technology—all of which is summed up by the CRS as "evidences that the congressional intent in enacting the Science Policy Act [is] not being met."

Though the ideal number of helpers for a presidential science adviser is yet to be spelled out by the many scholars who concern themselves with such matters, the CRS concludes that OSTP does not have enough—and in support of this it offers the presumably disinterested testimony of OSTP Director Frank Press. "Dr. Press," says the report, "has admitted it is difficult to do his job with a small staff but that since it is the President's wish that the office be reduced, he must abide by it."

In support of the too-small thesis, the CRS report observes that a recent report by the General Accounting Office "shows that OSTP's 24 authorized full-time permanent positions are three less than the number allocated to the Office of the Vice President and 17 less than the number allocated to the Office of the Special Representative for Trade Negotiations. In fact," it notes, "OSTP has the smallest number of full-time permanent positions of any office in the Executive Office of the President."

The CRS study proceeds on to a good deal of lamentation about OSTP hiving off those reports to NSF, which, in turn, has handed one of them over to the National Academy of Sciences. The motive for this passing game is that Congressional intent in mandating such reports is transparent and traditional: Get a federal office or agency to put its view of the world into writing and then you've got a good handle for calling its chiefs to hearings to provide explanations of the match, or mismatch, between their view of the future and their preparations for it. The two, of course, never match very well, which is why OSTP is not keen to prepare reports that look back and is even less keen to prepare those that look ahead.

Congressional intent in the Science Act was to create an Executive Office high command for research and development—answerable to Congress. When Jimmy Carter arrived in Washington, glowing with victory and high expectations, and scornful of everything associated with the status quo here, he naturally cared not at all for a science advisory setup that was cozily conceived by Gerry Ford and old friends in Congress, with the help of then-Vice President Rockefeller. Carter's initial impulse was to wipe out the whole thing, but he was finally persuaded to shave it down and give it a try.

The CRS report is favorable to Frank Press, noting that he is "well known and respected in the scientific community," and that under him, OSTP "has evolved into an advisory unit which appears to be meeting the needs of the President in office." The report also says

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Equal Opportunity—Sort of

The following is from the Congressional Research Service report on the White House Office of Science and Technology Policy:

"The staff is about evenly divided between men and women, with 24 men and 22 women. However, there is only one woman among the sixteen senior policy analysts, and she is working at OSTP on a contract from the National Academy of Sciences. All the secretaries are women, as is the administrative officer and an administrative assistant."

Kind Words for NIH in House Appropriations

Medical research has managed to retain some of its old political charm—even in this period of politicians trying to outdo each other in frugality.

Thus, in the House, where some of the keenest budget cutters have been at work, the Administration's attempt to hold the National Institutes of Health at this year's spending level was repudiated, and the outcome was a $208-million increase over Mr. Carter's figure. Percentage wise, that's not so good, since the current budget is about $3.1 billion, which means that inflation is going to cause NIH to lose some ground. But, given the mood of the moment and the Administration's frantic maneuvers to hold down spending, $208 million is a pretty good gain.

What's also interesting is the extent to which Bethesda rhetoric has infested Capitol Hill's medical-affairs legislators, as can be seen in the following excerpts from the NIH section of the House Appropriations Committee report:

"The strength and success of the NIH research-support program lie in their consistent reliance on the wisdom and ingenuity—occasionally the genius—of individual investigators. Although other research-support mechanisms have been devised to meet particular needs—or to serve ancillary purposes—the wellspring of progress has been the steady flow of research ideas submitted by individual scientists in applications for NIH grants. Good research is essentially a creative activity and the supporters of NIH have, over the years, been astute enough to realize that the mission of advancing the state of medical knowledge would be best served by finding first-class scientists with bright ideas and giving them the means to pursue their research in whatever direction it might lead them.

"The vigor and fruitfulness of the NIH research programs depend on a steady influx of new ideas. It is essential that funds be available each year for the award of grants to new investigators and to established investigators with new ideas. As virtually all research projects take a number of years to complete, NIH normally makes a three-year commitment for grant-support. At the end of that time, the investigator may—and frequently does—apply for a renewal which, however, must compete with new applicants for available funds.

"The Committee found that, under the budget request for investigator-initiated research projects, the number of new grants and competing renewals would drop from 5,673 (42 percent of those approved for funding) in 1979 to 3,062 (20 percent of those approved) in 1980. In other words, while 1,326 of the investigators whose applications ranked in the upper half of the priority scores were turned away for lack of funds in 1979, it is estimated that 4,800 of such meritorious applicants would have to be turned away in 1980. To partly remedy this situation, the Committee has included increases over the budget totaling $178 million in the appropriations for the several Institutes. This amount will fund about 1,950 additional grants so that about 5,000, or 30 percent of those approved, can be awarded.

"Viewed in another way, the 1980 appropriations recommended by the Committee will fund a total of about 16,450 investigator initiated research project grants compared with 15,200 projects funded in fiscal year 1979; approximately 13,000 supported in 1978, and 12,000 supported in 1977. Thus the bill continues the real growth in Federal support for basic biomedical research which has prevailed in recent years. In distributing the increased funds among the 11 research institutes, the Committee has been guided by estimates provided by the National Institutes of Health as to the priority scores which will be given to projects approved for funding by the panels of scientists who review them for scientific merit. The Committee's primary objective is to allocate funds to the most promising research endeavors as determined by the peer review system.

"The amount in the bill will generally permit the upper third of approved new grants and competing renewals, when arranged in priority order, to be funded by each Institute. Ideally, the total number of grants in any year should remain fairly constant so that, once their three-year expiration dates were suitably staggered, a constant number, roughly equal to a third of the total, would be available from competition each year. The Committee's recommendations are a step in

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that "If status symbols are meaningful, the physical proximity of an increasing portion of OSTP to other White House and Executive Office staffs in the Old Executive Office building adjacent to the White House is another indication of its standing in the hierarchy."

What's evident from this quibbling inquiry is that science and the White House are yet to work out a relationship that is satisfactory to influential elements in Congress—which means that the Carter formula for OSTP and science advice is not likely to endure into another administration.

(The CRS evaluation of OSTP is contained in a two volume set, *National Science and Technology Policy Issues—1979,* which is available without charge from: Committee on Science and Technology, US House of Representatives, Washington, DC 20515; tel. (202) 225-1062.)

Movement Detected at National Research Commission

In the category of leisurely proceedings, we now come to the National Commission on Research, created last September by a consortium of six learned organizations "To develop specific recommendations to improve the relationships between the Federal Government and the nation's research universities" (SGR Vol. VIII, No. 17).

At the time of its birth, the Commission was expected to wind up its work in approximately a year, according to its creators. The pace of its activities, however, has been somewhat short of torrid, as may be inferred from the Commission just having got around to appointing a staff director, Gregory Fusco, who comes from a staff position at the Senate Committee on Human Resources. Fusco's hiring was hailed by an announcement from William Sewell, a University of Wisconsin professor of sociology, who serves as chairman of the Commission. Said Sewell, according to an announcement from the Commission: "We are now in full gear. The arrival of Mr. Fusco as our staff director completes the establishment phase of the Commission's activities. His background complements the array of talents of our Commissioners in ways which will greatly advance our prospects."

Where, if at all, they are advancing would not be particularly noteworthy in normal circumstances, since commissions, panels, and committees of this sort dot the Washington landscape and rarely ever do more than provide their staffs with multiple opportunities to complain about a frantic pace. But, it ought to be recalled, the National Commission on Research came into being—with prestigious founders and a lot hoopla—as organized scholarship's constructive response to numerous difficulties between research and government.

A staff member at the Commission tells SGR that the organization now expects to be around until next June, and that three subcommittees—on funding, peer review, and accountability—are functioning and may be even issue some papers. The sponsors of the Commission are: The Association of American Universities, the National Academy of Sciences, the American Council on Education, the National Association of State Universities and Land Grand Colleges, the Social Science Research Council, and the American Council of Learned Societies.

The address is: National Commission on Research, 2600 Virginia Ave. Nw., Suite 1300, Washington, DC 20037; tel. (202) 337-3700.

DOT Appoints Research Head

Howard Dugoff, deputy administrator of the Department of Transportation's National Highway Traffic Safety Administration, has been appointed head of DOT's Research and Special Programs Administration, succeeding James D. Palmer, who has resigned. Functions covered by Dugoff's new post include research on transportation of hazardous materials, pipeline safety, and university research. The Research and Special Programs Administration operates a research center in Cambridge, Mass., and a safety training center in Oklahoma, City.

NIH *(Continued from Page 5)*

the direction of a total level of 15,000 grants with 5,000 completing each year. Such an arrangement would introduce a desirable element of stability and predictability into the grant process. During the past 10 years, the proportion of grants available for competition has ranged from 40 percent to 24 percent and a new applicant's chances of success have varied accordingly. In general, the probability that a good idea will get support should not be so much dependent on the year in which it is born."

US, China Expand Exchanges

A further expansion of scholarly exchanges between the US and the People's Republic of China has been spelled out in a memorandum of understanding signed last month in Peking by HEW Secretary Joseph A. Califano Jr. and Jiang Nanxiang, PRC minister of education.

The main significance of the understanding is that it details activities that are to take place under the broad US-PRC cultural agreement and it adds elementary and secondary school teachers to an eligibility list previously confined to college and university staffs.

The new agreement—which is actually one of the several governing Sino-American scholarly activities—provides for each country to send and receive 50 visitors, with the sending side paying air fares and the hosts all the internal costs. Among the 11 activities that are spelled out in the memorandum are a visit by a delegation of Chinese scientific and technological information administrators and exchange visits by American and Chinese educational researchers to explore prospects for joint research projects.

In addition, there will be exchanges related to language studies, including symposia in Peking and Washington.

Nine Health Projects Set Up To Study 3 Mile Island Effects

At least nine research projects, with costs totaling up to $6 million, have been organized to look into the health effects of the Three Mile Island nuclear accident.

Coordinated and, to some extent, participated in by the Pennsylvania Department of Health, the studies are being guided by a state-appointed advisory panel chaired by Leroy Burney, retired US Surgeon General. Supporting organizations include the Department of Health, Education, and Welfare and the Nuclear Safety Analysis Center, of Palo Alto, Calif., which is an offshoot of the utility-sponsored Electric Power Research Institute.

The projects cover:

- Compilation of a population registry, which will encompass about 50,000 persons; this work is being conducted by the Pennsylvania Health Department, the US Center for Disease Control, and the US Census Bureau.
- A pregnancy-outcome study, conducted by the state Health Department in conjunction with the Hershey Medical Center.
- A study of congenital thyroid disease, conducted by the Department of Health and the Thomas Jefferson Medical College, Philadelphia.
- A health-economics study, to examine medical and other expenses associated with illness or other effects arising from the accident and its consequences, including evacuation; the study will be conducted by Penn State.
- A health-behavioral study, to define symptoms and behavioral effects in persons near the plant at the time of the accident; to be conducted by the Hershey Medical Center.
- A radiation-dose assessment study, by the University of Pittsburgh.
- A cytogenic study, to determine what, if any changes, have occurred in blood cells of the surrounding population; to be conducted by the University of Pittsburgh.
- Long-term disease surveillance, focused on cancer. This study, still being planned, will involve the Department of Health, the University of Pennsylvania, the Center for Disease Control, and other agencies.
- Mental health studies, which are being planned by the Office of Mental Health of the Pennsylvania Department of Public Welfare, the National Institute of Mental Health, and the Western Psychiatric Institute and Clinic.

Study Assails Secrecy On Moscow Embassy Irradiation

What may be the final word on the long-running (though recently terminated) Soviet irradiation of portions of the US Embassy in Moscow is contained in a newly issued Senate report: *Microwave Irradiation of the US Embassy in Moscow.*

Based on an epidemiological study conducted for the State Department by the Johns Hopkins School of Public Health, the Senate study concludes that no adverse health affects in Embassy personnel could be attributed to the two decades of irradiation. In view, however, of reports of cancer and other ailments that have been attributed to the wave-beaming, it is useful to note the admonishment that the Senate report gives the State Department for concealing the persistent radiation from Embassy personnel for *23 years.* (The radiation is believed to be related to eavesdropping attempts on the Embassy, but there is no absolute certainty as to the Soviet's motive).

Thus, the Senate report points out: "Throughout that period (1953-76), the Medical Services Office of the State Department believed that there was no adverse health effects from these low levels of radiation and that knowledge of its existence would unnecessarily add another source of uneasiness or tension to the lives of Moscow Embassy personnel. The State Department thus used the analogy of individual physicians withholding medical information from patients when, in their judgment, the well-being of the patient was better protected by doing so. But this substitution of a doctor-patient relationship for an employer-employee relationship is not defensible, regardless of the outcome of the studies. The employees should have been promptly informed of the situation."

(Copies of the report, *Microwave Irradiation of the US Embassy in Moscow,* are available upon request (include a self-addressed mailing label) from: Subcommittee on Science, Technology, and Space, Committee on Commerce, Science, and Transportation, US Senate, Washington, DC 20510; tel. (202) 224-9351.)

NSF Public Service Grants

The National Science Foundation has awarded a total of $582,000 to finance 27 Public Service Science Residencies, which provide for attaching scientific and technical expertise to citizens groups, community organizations, and local government agencies. The grants are mostly in the range of $20,000 to $28,000.

Proxmire Must Face Researcher's Libel Charge

Science-policy officials in Washington have discreetly refrained from public comment on the judicial blockbuster that the Supreme Court landed last month on Senator William Proxmire (D-Wisc.), Capitol Hill's leading cheapshot artist in gaining press attention by ridiculing research projects.

But, if the court's ruling evoked any grief among the mandarins of science, they were able to control it without strenuous effort. Indeed, perhaps all that is holding back open expressions of approval for the court's action is that the Senator is chairman of the appropriations subcommittee responsible for the National Science Foundation budget.

Proxmire, innovator of the widely reported Golden Fleece awards—given by him monthly for what he describes as outstanding examples of federal wastefulness—was sued for $8 million by a 1975 recipient of the prize, Ronald R. Hutchinson, a psychologist who claimed that his professional reputation was damaged by Proxmire's remarks.

Hutchinson, whose research on aggressive behavior was supported by several federal agencies, was especially aggrieved by a press release in which Proxmire stated, "Dr. Hutchinson's studies should make the taxpayers as well as his monkeys grind their teeth"—a reference to Hutchinson's studies of teeth-grinding as an index of frustration. "In fact," Proxmire went on, "the good doctor has made a fortune from his monkeys and in the process made a monkey out of the American people."

A lower court ruled that Proxmire's statements were protected by congressional immunity; furthermore, that Hutchinson, by virtue of having received government research funds, was a "public" figure and, therefore, was fair game for comment.

Writing for the majority, Chief Justice Burger held that while a speech in the Senate would be "wholly immune," the same protection did not apply to newsletters and press releases, "because neither was 'essential to the deliberations of the Senate' and neither was part of the deliberative process."

Burger also rejected the argument that receipt of government research funds made Hutchinson a public figure. If that were the case, Burger said, "everyone who received or benefited from the myriad public grants for research could be classified as a public figure. . ."

The Supreme Court's decision remanded the case to the 7th US Circuit Court of Appeals, which had previously upheld a District Court ruling that Proxmire could not be brought to trial because of Congressional immunity.

The practical effect of the Supreme Court ruling is that Proxmire and a staff member who worked on the Golden Fleece Award for Hutchinson will almost surely have to stand trial.

Report on Science Museums

White Paper on Science Museums, a highly critical report of industry dominance in devising displays of scientific and technical subjects, is available for $4 per copy from: The Center for Science in the Public Interest, 1755 S St. Nw., Washington, DC 20009.

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